


INTERNATIONAL ASSOCIATION OF MACHINISTS AUGUST 2009 thru August 2016

AGREEMENT  
by and between  
**MERCURY**  
and  
**LODGE #1947**



INTERNATIONAL ASSOCIATION  
OF MACHINISTS

August 30, 2009 - August 27, 2016

Buck  
Exhibit No. 3  
John Gales 7/18/17



5.12 Employees are expected to be at work every day that they are scheduled for work, including accepted or scheduled overtime. When an employee fails to work agreed upon overtime as defined in this section, such time shall be treated as an unexcused absence as defined in section 5.12.4, unless the employee notifies the Company during the first three (3) hours of the shift before the required overtime that they cannot work the agreed to overtime. If the overtime is scheduled to be worked immediately prior to an employee's shift, the employee must notify the Company that they cannot work the agreed upon overtime no later than three (3) hours prior to the end of the previous shift.

1. The attendance policy will track absences

on a calendar year basis. (January 1 – December 31).

2. The following defined absences with proper documentation will not count against an employee: Worker's Compensation, jury duty, vacation, approved funeral leave, approved personal leave, approved FMLA, layoff, paid holidays, Union business, time approved by a supervisor for lack of work, military leaves, absences approved by the HR department, government entity mandate – where the employee's behavior did not cause the mandate, approved Medical Leave of Absence and disciplinary suspensions.
3. Employees will receive a final written warning/along with joint counseling by the employee's supervisor, a Human Resources representative and the plant union chairman or his/her designee after receiving the equivalent of six (6) absences. Employees who miss the equivalent of eight (8) full absences, except for those absences defined in 5.12.4D will be terminated.
4. Absences will be assessed as follows:
  - A. Any absence greater than four (4) hours will count as a full day absence.
  - B. Any absence greater than thirty-minutes but four (4) hours or less will be assessed as a half-day absence.
  - C. Any tardy of thirty (30) minutes or less will be assessed one quarter (1/4) of an absence.
  - D. Employees will be permitted to be absent without penalty on three (3) full-days or six (6) half-day occasions provided they submit a valid physician slip to Human Resources upon their return to work.



## Policy Statement

Subject: Equal Employment Opportunity and Affirmative Action	Policy Number: H.01.01
Department Name: Human Resources	Page: 1 of 2
Original Issue Date: May 31, 2003	Revision Date: March 2012
Policy Owner: VP and Chief Human Resources Officer	Policy Contact Person: Local Human Resources

### Purpose

This Policy Statement sets forth Brunswick's policy of providing equal employment opportunities for all employees and applicants without regard to race, color, religion, national origin, sex, pregnancy, marital status, sexual orientation, age, disability, veteran status, genetic information, citizenship status, or membership in any other legally protected class.

### Applicability

This policy applies to all US Brunswick employees.

### Definitions

Not Applicable

### Policy

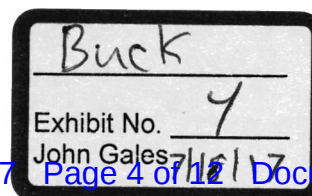
#### A. Equal Employment Opportunity

1. The Company recruits, hires, upgrades, trains, and promotes in all job titles without regard to race, color, religion, national origin, sex, pregnancy, marital status, sexual orientation, age, disability, veteran status, genetic information, citizenship status, or membership in any other legally protected class.
2. The Company shall ensure that all personnel actions such as compensation, benefits, layoffs, returns from layoffs, company sponsored training, and educational tuition assistance, shall be administered without regard to membership in any legally protected class.
3. It is also the policy of Brunswick to provide reasonable accommodations of employees' religious beliefs and to otherwise-qualified disabled applicants and employees, in accordance with applicable law, to enable them to apply and/or to perform the essential functions of their position, unless it would impose an undue hardship. Requests for accommodation should be directed to the Human Resources Department. Requests for accommodation are handled on a case-by-case basis.

#### B. Affirmative Action

1. The Company shall base employment decisions on the principles of equal employment opportunity and with the intent to further the company's commitment to affirmative action and equal employment. At no time will any covered employee, or covered applicant for employment, who in good faith exercises his/her rights pursuant to the company's Affirmative Action Policy be subject to discipline, or have his/her opportunities for employment adversely affected.
2. The Company shall take affirmative action to ensure that qualified minorities, females, recently separated veterans, Armed Forces Service Medal Veterans, disabled veterans, other protected veterans, and qualified individuals with a disability are introduced into the work force, are encouraged to aspire for promotion, and are considered as promotional opportunities arise.
3. Employees are encouraged to identify themselves as either persons with a disability or as disabled veterans. This self-identification is strictly voluntary, confidential and will not result in retaliation by Brunswick

Policy Number H.01.01  
Page 1



D000080

4. The Company will take affirmative action to contract with small business and businesses owned and controlled by women, minorities and disabled persons.
5. The Company fully supports the incorporation of nondiscrimination and affirmative action rules and regulations into contracts.
6. Any company employee or contractor who fails to comply with this policy and related statutes, directives and regulations will be subject to disciplinary sanctions up to and including termination of employment and/or termination of the contract.

**Related Documents**

- A. Harassment Policy (H.01.02)

**Policy Owner**

- A. VP and Chief Human Resources Officer

**Who to Contact**

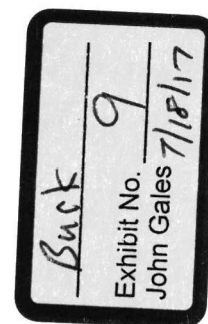
- A. Local Human Resources

**Revisions, Dates and Author**

- A. December 6, 2004, Corporate HR Manager  
B. April 26, 2010, Director Employee Services  
C. March 2012, Legal



Emp #	Payroll Date	Name	Chrg	Department	On Time	Off Time	Reg Hk	OT Hk	DT Hk	Ad. Hk	Code	Ad. Shk	Sch.	Crow	Note
2604	02/17/2014 Mon	Joseph Buck	<input checked="" type="checkbox"/>	15-519			0:00 hrs	0:00 hrs	0:00 hrs	8:00	LL	0	301	34	
2604	02/19/2014 Wed	Joseph Buck	<input checked="" type="checkbox"/>	15-519			0:00 hrs	0:00 hrs	0:00 hrs	8:00	LL	0	301	34	No Call No Show - TDS
2604	03/06/2014 Sat	Joseph Buck	<input checked="" type="checkbox"/>	15-519			0:00 hrs	0:00 hrs	0:00 hrs	8:00	UA	0	261	34	Called going to be late, AZ
2604	03/27/2014 Thu	Joseph Buck	<input checked="" type="checkbox"/>	15-519	03/27/2014, 07:30		4:30 hrs	0:00 hrs	0:00 hrs	8:00	LI(W)	301	301	34	Late, Dome light was left on in his car, AZ
2604	05/03/2014 Sat	Joseph Buck	<input checked="" type="checkbox"/>	15-519	05/03/2014, 06:46		0:00 hrs	5:00 hrs	0:00 hrs	8:00	LI(W)	161	161	34	Called in TAD - TDS
2604	05/19/2014 Mon	Joseph Buck	<input checked="" type="checkbox"/>	15-519			0:00 hrs	0:00 hrs	0:00 hrs	8:00	UA	0	301	34	Call in LT - TDS
2604	05/22/2014 Thu	Joseph Buck	<input checked="" type="checkbox"/>	15-519	05/22/2014, 07:00		4:00 hrs	0:00 hrs	0:00 hrs	8:00	LI(W)	301	301	34	Call in for personal issue - TDS
2604	05/28/2014 Wed	Joseph Buck	<input checked="" type="checkbox"/>	15-519			0:00 hrs	0:00 hrs	0:00 hrs	8:00	UA	0	301	34	LT called in - TDS
2604	06/16/2014 Mon	Joseph Buck	<input checked="" type="checkbox"/>	15-519	06/16/2014, 07:30		4:30 hrs	0:00 hrs	0:00 hrs	8:00	LI(W)	301	301	34	Called in LT - TDS
2604	06/30/2014 Mon	Joseph Buck	<input checked="" type="checkbox"/>	15-519	06/30/2014, 07:30		4:30 hrs	0:00 hrs	0:00 hrs	8:30	DNA	0	313	34	Called in Sick - TDS
2604	07/15/2014 Tue	Joseph Buck	<input checked="" type="checkbox"/>	15-519			0:00 hrs	0:00 hrs	0:00 hrs	8:30	DNA	0	313	34	DNA
2604	07/17/2014 Thu	Joseph Buck	<input checked="" type="checkbox"/>	15-519			0:00 hrs	0:00 hrs	0:00 hrs	8:30	DNA	0	313	34	DNA
2604	08/07/2014 Thu	Joseph Buck	<input checked="" type="checkbox"/>	15-519	08/07/2014, 07:30		8:18 hrs	0:00 hrs	0:00 hrs	8:30	WILL	313	313	34	Punctured out and back in during break, forgot personal items
2604	08/27/2014 Thu	Joseph Buck	<input checked="" type="checkbox"/>	15-519	08/27/2014, 07:30		8:00 hrs	0:00 hrs	0:00 hrs	8:30	WILL	313	313	34	Called in Sick - TDS
2604	09/02/2014 Wed	Joseph Buck	<input checked="" type="checkbox"/>	15-519	09/02/2014, 07:30		8:00 hrs	0:00 hrs	0:00 hrs	8:30	WILL	313	313	34	Called in Sick - TDS
2604	09/22/2014 Wed	Joseph Buck	<input checked="" type="checkbox"/>	15-519	09/22/2014, 07:30		8:00 hrs	0:00 hrs	0:00 hrs	8:30	WILL	313	313	34	Called in Sick - TDS
2604	10/02/2014 Wed	Joseph Buck	<input checked="" type="checkbox"/>	15-519	10/02/2014, 07:30		8:00 hrs	0:00 hrs	0:00 hrs	8:30	WILL	313	313	34	Called in Sick - TDS



D000012



W6250 PIONEER ROAD  
P.O. BOX 1939  
FOND DU LAC, WI 54936-1939  
PHONE 920.929.5000 \* FAX 920.929.5060

May 30, 2014

Joseph Buck  
N7327 Winnebago Dr.  
Fond du Lac, WI 54935

**Final Written Warning  
for Attendance**

Dear Joseph:

This shall serve as a Final Written Warning as a result of your unavailability for work.

A review of your attendance record shows that during the period of February 17, 2014 through May 28, 2014, you were absent on 8 occasions resulting in 6.5 absence points as defined in our Attendance Policy. To make you aware of your unavailability for work, we present your record below:

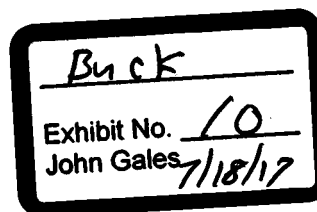
<u>Date</u>	<u>Hours Missed</u>	<u>Absence Points</u>
February 17, 2014	8.0	1.00
February 19, 2014	8.0	1.00
March 8, 2014	6.0	1.00
March 27, 2014	4.0	0.50
May 3, 2014	1.0	0.50
May 19, 2014	8.0	1.00
May 22, 2014	4.0	0.50
May 28, 2014	8.0	1.00
Total:		6.50

Your attendance record is unacceptable. If you fail to show immediate and sustained improvement in your availability for work, your employment will be terminated upon reaching eight (8) absence points.

Sincerely,

  
Trey Schwartz  
Production Supervisor

cc: C. Rohde  
A. Morin  
File





2604  
Rec'd  
5/30/14  
AW

5/29/2014

Joseph Buck  
N7327 Winnebago Dr Apt B  
Fond Du Lac WI 54935

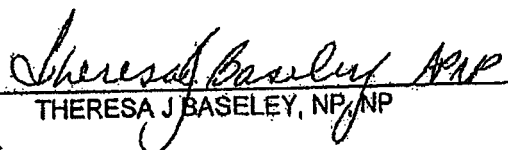
DOB: 9/20/1958

To Whom It May Concern,

This is to certify that Joseph was seen in the clinic on 5/29/2014. Please excuse Joseph from missed work May 28th.

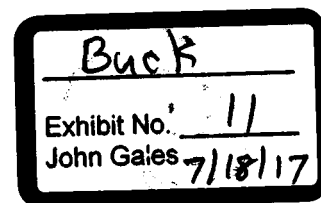
REMARKS: Please excuse missed work on May 28th. Joe was in the clinic for evaluation of situational insomnia. Treatment has been initiated

SIGNATURE:

  
THERESA J BASELEY, NP/NP

5/29/2014

AURORA HEALTH CENTER NORTH FOND DU LAC  
AHC NORTH FOND DU LAC FAMILY PRACTICE  
700 Park Ridge Lane  
North Fond Du Lac WI 54937-1385  
920-926-7800



D000002





CERTIFICATE OF RETURN TO WORK

July 15, 2014

Re:

Joseph Buck  
N7327 Winnebago Dr Apt B  
Fond Du Lac WI 54935

This is to certify that Joseph Buck has been under my care from 7/15/2014 and is excused from work on July 15th to July 17th.

RESTRICTIONS: Off work due to back pain. Prescribed medications may cause drowsiness.

REMARKS: Okay to return to work on July 20th

SIGNATURE: \_\_\_\_\_

  
Jessica L. Sabel, NP

7/15/2014

Aurora Clinic North Fond du Lac  
700 Parkridge Lane  
N. Fond du Lac, WI 54937

Buck
Exhibit No. <u>12</u>
John Gales <u>7/18/17</u>

11/24/2014 05:17 AM

Fw:Re: Fw: Joe Buck  
Dixie Kraege to James Gardiner

James - Here is a little more information on Joe Buck's hours for 8/18. Let me know if I can help with anything else.

Dixie Kraege, PHR, GPHR  
HR Business Partner  
(920)929-5380

Troy D Schwartz --- Re: Fw: Joe Buck ---  
From: "Troy D Schwartz" <Troy.Schwartz@mercmarine.com>  
To: "Dixie Kraege" <Dixie.Kraege@mercmarine.com>  
Date: Mon, Nov 24, 2014 1:36 AM  
Subject: Re: Fw: Joe Buck

Dixie,  
This is something we've never allowed. We never are flexing these hours (He was asked to cover for Donnie Samuel on 1st shift. This was after Donnie called in that morning 8/18).  
This wasn't a planned or pre-authorized.  
This is not a valid case we never have allowed this else where.  
I do not agree with a last chance with Joe.

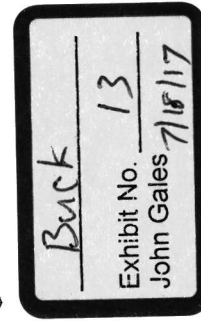
A few other things that do not sit well with me.  
Joe stating that he was OK'ed to come in late. None of us supervisors work this way. If Late it is late and counts against their dings. It does not matter if he is working into 1st shift's hours.

On 7/15, 7/16, & 7/17 Joe was out due to a back injury (DMA ) should indicate this.  
Joe indicated a work related incident on 8/20. This seemed suspicious (pre-existing) and was also denied as work related.

Dixie Kraege---11/23/2014 10:36:52 PM---Troy - Is there any way of tracking down who Joe Buck covered for the morning of 8/18? I'm trying to

From: Dixie Kraege/FDL/Mercury  
To: Troy D Schwartz/FDL/Mercury@MERCURYMARINE,  
Date: 11/23/2014 10:36 PM  
Subject: Fw: Joe Buck

Troy - Is there any way of tracking down who Joe Buck covered for the morning of 8/18? I'm trying to understand why he came late but stayed late. He claims we allowed him to flex his hours because he worked OT over the weekend and I'm afraid that seems like a valid case. Any thoughts?



At Maria  
-(920)-238-5371

Dixie Kraege, PHR, GPHR  
HR Business Partner - Plants 4, 98, 15  
Mercury Marine  
Phone: (920)929-5380  
Fax: (920)924-1076  
Email: dixie.kraege@mercurymarine.com

----- Forwarded by Dixie Kraege/FDL/Mercury on 11/23/2014 10:35 PM -----

From: Shane Dvorjac/FDL/Mercury  
To: Dixie Kraege/FDL/Mercury@MERCURYMARINE,  
Date: 11/23/2014 03:09 PM  
Subject: Re: Joe Buck

I believe he was covering for a first shift absence

-----Dixie Kraege/FDL/Mercury@MERCURYMARINE wrote: -----

=====

To: "Shane Dvorjac" <Shane.Dvorjac@mercurymarine.com>  
From: Dixie Kraege/FDL/Mercury@MERCURYMARINE  
Date: 11/21/2014 12:37PM  
Subject: Joe Buck

=====

Shane...I'm sorry to beat a dead horse but we were looking closer at Joe's absences. He worked the OT that hr signed up for on Sunday, 8/17 (12a-6a). He was scheduled to work 11p-6a on Monday, 8/18 but didn't come in until 3a (so 4 hours late). However, he stayed until 11a that morning so he still got 8 hours in. Do you recall why he stayed that morning?

Dixie Kraege, PHR, GPHR  
HR Business Partner  
(920)929-5380

- DH:

- Disappeared for attendance in 2013 as well

- sitting changed throughout

- May have worked 8/18 - that day not same direction. May also worked his 1st time out - they are not at the disciplinary level for either

- Day in position every 5/27 - has 5/28 - mixed with. Not for 5/28. We not seen until 5/28. - Not for 5/28. Buckle up - will not accept.

D000068





W6250 PIONEER ROAD  
P.O. BOX 1939  
FOND DU LAC, WI 54936-1939  
PHONE 920.929.5000 \* FAX 920.929.5060

August 25, 2014

Joseph Buck  
N7327 Winnebago Dr.  
Fond du Lac, WI 54935

**Termination**

Dear Joseph:

This is to notify you that you are being terminated effective immediately due to your attendance record,

You received a Final Written Warning on June 3, 2014 as a result of your absenteeism from February 17, 2014 through May 28, 2014, resulting in 6.5 occurrences.

Since your Final Written Warning, a review of your attendance record shows you were absent on three additional occasions resulting in a total of 8 points under the Attendance Policy.

Any Mercury property in your possession must be returned immediately and arrangements made to have all personal property removed from the premises. Any monies owed will be sent to you.

If you have any questions or wish to see your Union representative, you must make arrangements to meet offsite at the Union Hall or other site location determined by the Union. You may not be on Company property without permission of a representative of the Human Resources Department.

Sincerely,

Shane Dvorjac  
Maintenance Supervisor

cc: T. Schwartz  
M. Newton  
A. Morin  
File

